

HOUSE BILL 1649
By Winningham

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 4, relative to controlled substances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 4, is amended by adding the following as a new, appropriately designated section:

39-17-452.

(a) An adult who violates § 39-17-417 that involves a substance listed in § 39-17-408(d)(2) shall be punished one (1) classification higher than is provided in § 39-17-417(b)-(i) for such violation if a person under the age of eighteen (18) is in the same residence or leased area during the manufacturing process, the adult is at least two (2) years such minor's senior, and the adult knows that such person is a minor. For the purposes of this section "manufacturing process" shall include the assembling of two (2) or more requisite components of a substance listed in § 39-17-408(d)(2).

(b) A violation of § 39-17-418 that involves a substance listed in § 39-17-408(d)(2) shall be punished one (1) classification higher than is provided in § 39-17-418 for such violation where there is an exchange to a minor from an adult who is at least two (2) years such minor's senior, and the adult knows that such person is a minor.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.